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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Terry, John B.	Attorney Docket:	0960-017
Serial No:	09/818,378	Examiner:	Not Assigned
Filed:	03/27/2001	Art Unit:	2661
TITLE: ARCHITECTURE AND METHOD FOR AUTOMATIC DISTRIBUTED GAIN CONTROL FOR MODEM COMMUNICATIONS OVER PASSIVVE MULTIPOINT NETWORKS			

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

JUL 05 2001

Technology Center 2600

Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith is Form PTO/SB/08A providing material that may be relevant to the subject application. It respectfully requested that these documents be considered by the Examiner and an initialed copy of each form be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Submission of these documents is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Supplemental Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicant respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of these materials is consistent with the duty of disclosure and should not be interpreted as an indication that applicant has made a prior art search such that the Examiner should not undertake to conduct an independent prior art search.

Applicant provides the following information to help introduce the Examiner to the cited art. Applicant encourages the Examiner to read the cited art carefully to seek all portions that may be relevant to one or more pending claims.

WO 00/28689

Applicant submits WIPO publication WO 00/28689 A2 and related search report WO 00/28689 A3. WO 00/28689 publishes an application which claims a priority date

of November 8, 1999 with title "Entertainment and Computer Coaxial Network and Method of Distributing Signals Therethrough." This application was assigned to PERACOM NETWORKS INC., now Broadband Home, Inc. of Morrisville NC ([www.broadbandhome.com](http://www.broadbandhome.com)). It appears that WO 00/28689 is one of the one or more pending patent applications referenced in various pages of the [www.broadbandhome.com](http://www.broadbandhome.com) site in connection with a product marketed as Avcast.

This published patent application describes one solution to the problem of connecting together personal computers, computer peripherals and various entertainment devices onto one network. Since many of the entertainment devices respond to wireless input, the solution seeks to incorporate the control signals typically sent by infra-red or other wireless control onto a network. The proposed solution includes bi-directional signal transfer over the various signal conductor coaxial cables routed to various parts of the house.

Applicant submits that the solution proposed in this published patent application differs in a number of respects from the solution proposed by applicant.

U.S. Patent No. 5,760,822 to Coutinho

A preliminary search report for WO 00/28689 listed this patent as "X" art for some claims in the application published in WO 00/28689. The '822 patent notes that newer homes can be wired with a consumer electronic bus (CEBus) comprising two separate coaxial cables having terminals or jacks in each room of the house. The '822 notes that it is expensive to rewire an existing home with a second coaxial cable. The '822 patent states that "it would be advantageous to provide a method and apparatus for converting a single coax cable system of the type present in many existing residences to a simulated dual coaxial cable system accommodating interaction between a plurality of terminal devices variously connected thereto." (Col 3 lines 33-38).

The solution set forth in the '822 patent takes the output from a VCR which would normally be in the band of CATV channels, and moves the output into the range of 12 MHz to 40 MHz. Through the use of low pass filters, this output is routed back to a Block Converter and HP Filter (element 210 on FIG. 4) where the signal is moved to a channel above that of the incoming CATV but within the upper range of the TV tuners.

U.S. Patent No. 5,485,630 to Lee et al

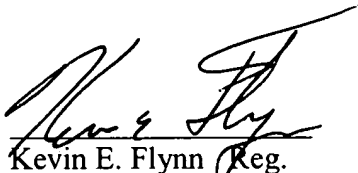
A preliminary search report for WO 00/28689 listed this patent as "Y" art for some claims in the application published in WO 00/28689. The '636 patent is for a Audio/Video Distribution System based on the CXBus Standard. This standard uses pairs of coaxial cables and thus has a different topology from the solution proposed by the present application.

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Applicant asserts that neither of these references alone or in combination with any art of record should be an obstacle to allowing the claims as currently pending.

Dated: June 26, 2001

Respectfully submitted,



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No. 37,325

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Enclosures

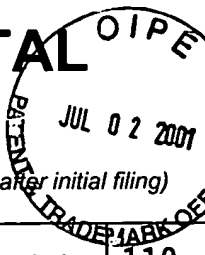
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PTO/SB/21 (6-98)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Total Number of Patents in This Submission

110

Application Number

09/818,378

Filing Date

03/27/01

First Named Inventor

Terry, John B.

Group / Art Unit

Not Assigned

Examiner Name

Not Assigned

Attorney Docket No.

0960-017

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CRF 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Additional Enclosure(s) (please identify below):

Cited Art  
Form PTO/SB/08A  
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kevin E. Flynn

Signature

Date

06/26/2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Lynette M. Bailey

Signature

Date

06/26/01

*(use as many sheets as necessary)*

Sheet

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of

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**Complete if Known**

Application Number	09/818,378
Filing Date	March 27, 2001
First Named Inventor	Terry, John B.
Group Art Unit	2661
Examiner Name	Not Assigned
Attorney Docket Number	0960-017

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered